

Jul 24 2006 11:03AM

877 230 5950 RECEIVED P. 1

CENTRAL FAX CENTER

JUL 24 2006

PTO/SB/66 (10-05)

Approved for use through 04/30/2009. OMB 0651-0016  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))**

Docket Number (Optional)  
**AK-0**

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 273-3282.

Patent No. 5328575 Application Number 07926227  
Issue Date 7-12-1994 Filing Date 8-6-1992

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.388(c) and (d).

Also complete the following information, if applicable

The above - identified patent:

- Is a reissue of original Patent No. \_\_\_\_\_, original issue date \_\_\_\_\_;  
original application number \_\_\_\_\_;  
original filing date \_\_\_\_\_.
- resulted from the entry into the U.S. under 35 U.S.C. 371 of International  
application \_\_\_\_\_ filed on \_\_\_\_\_.

**CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

7-24-06

Date

Signature

Bennet Langlotz

Typed or printed name of person signing Certificate

07/25/2006 SLUANG1 00000009 5328575

3605.00 OP

(Page 1 of 3)  
This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

\$65.00

Refund Ref#: 030037074

Credit Card Refund Total:

Refund Ref#: 030037074

PAGE 14 \* RCVD AT 7/24/2006 2:45:00 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-3/7 \* DSN:877 230 5950 \* DURATION (mm:ss):02:22

Adjustment date: 01/11/2007 CKHLOK  
07/25/2006 SLUANG1 00000009 5328575  
01 FC:1599 -3605.00 OP

01/11/2007 CKHLOK 00000014 5328575

01 FC:2553 1900.00 OP  
02 FC:1558 1640.00 OP

At Exp.: XXXXXXXXXXXXXXXXX2006

PTO/8866 (10-05)

Approved for use through 04/30/2009. OMB 0851-0016  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 1. SMALL ENTITY

 Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

 Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

RECEIVED  
CENTRAL FAX CENTER

JUL 24 2006

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(1551)	<input type="checkbox"/> \$ _____	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input checked="" type="checkbox"/> \$ 1900	11 1/2 yr fee	(2653)

MAINTENANCE FEE BEING SUBMITTED \$ 1900.00

## 4. SURCHARGE

\$65 - 6 monthThe surcharge required by 37 CFR 1.20(i)(2) of \$ 31640 - NO surcharge (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.SURCHARGE BEING SUBMITTED \$ 1705.00

## 5. MANNER OF PAYMENT

 Enclosed is a check for the sum of \$ \_\_\_\_\_. Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_. A duplicate copy of this authorization is attached. Payment by credit card. Form PTO-2038 is attached. - \$3605.00

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

 The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 500493. A duplicate copy of this authorization is attached.

(Page 2 of 3)

RECEIVED  
CENTRAL FAX CENTER

JUL 24 2006

PTO/SB/06 (10-05)

Approved for use through 04/30/2009. OMB 0651-0016  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 7. OVERPAYMENT

As to any overpayment made please

- OR  Credit to Deposit Account No. 500493  
 Send refund check.

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE  
ACCEPTED AND THE PATENT REINSTATED.T S Langlotz

7-24-2006

Date

Signature(s) of Petitioner(s)

Bennet Langlotz

35928

Typed or printed name(s)

Registration Number, if applicable

877 230 5950

Telephone Number

Po Box 759

Address

Genoa NV 89411

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

## ENCLOSURES:

- {  
PTO  
2038  
 Maintenance Fee payment  
 Surcharge under 37 CFR 1.20(l)(2) (fee for filing the maintenance fee petition)

[Page 3 of 3]

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>01/10/07</u>		2 Serial/Patent # <u>5328575</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
<input type="checkbox"/>	Notice of Appeal/Appeal			\$
<input type="checkbox"/>	Petition			\$
<input type="checkbox"/>	Issue			\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/>	Maintenance			\$
<input type="checkbox"/>	Assignment			\$
<input checked="" type="checkbox"/>	Other - SURCHARGE	WFEE	07/24/06	\$ 65.00
		7 TOTAL AMOUNT OF REFUND	\$ 65.00	
8 TO BE REFUNDED BY:				
<input type="checkbox"/> 10 REASON:		Treasury Check		
<input checked="" type="checkbox"/>	Overpayment	X	Credit Deposit A/C #:	
<input type="checkbox"/>	Duplicate Payment		9 5 0 -- 0 4 9 3	
No Fee Due (Explanation):				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>Sherry D. Brinkley</u>		TITLE: <u>Petitions Examiner</u>		
SIGNATURE: _____		PHONE: <u>2-3204</u>		
OFFICE: <u>Petitions</u>		*****		
THIS SPACE RESERVED FOR FINANCE USE ONLY:				
APPROVED: <u>Chelsk</u>		DATE: <u>1/11/07</u>		

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*

**Office of Finance  
Refund Branch  
Crystal Park One, Room 802B**